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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 OREGON MUTUAL INSURANCE
12 COMPANY,

13 Plaintiff,

14 v.

15 SEATTLE COLLISION CENTER,
16 INC., et al.,

17 Defendants.

18 SEATTLE COLLISION CENTER,
19 INC., et al.,

20 Third-Party Plaintiffs,

21 v.

22 AMERICAN STATES INSURANCE
23 COMPANY, et al.,

24 Third-Party Defendants.
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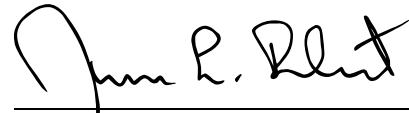
CASE NO. C08-1670JLR

ORDER DENYING MOTION
FOR RECONSIDERATION

1 This matter comes before the court on Third-Party Defendants' motion for partial
2 reconsideration (Dkt. # 71). The court has considered both the motion and Third-Party
3 Plaintiffs' response (Dkt. # 75), and deems oral argument unnecessary. For the
4 following reasons, the court DENIES the motion for reconsideration (Dkt. # 71).
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6 Pursuant to Local Rules W.D. Wash. CR 7(h)(1), motions for reconsideration are
7 disfavored, and will ordinarily be denied unless there is a showing of (a) manifest error
8 in the prior ruling, or (b) facts or legal authority which could not have been brought to
9 the attention of the court earlier, through reasonable diligence. Here, Third-Party
10 Defendants have made neither showing. Even accepting Third-Party Defendants'
11 arguments regarding *St. Paul Fire & Marine Ins. Co. v. Onvia, Inc.*, 196 P.3d 664
12 (Wash. 2008), the court is not persuaded that a different result would be warranted. As
13 noted in the court's September 18, 2009 order, Third-Party Defendants, in their motion
14 for summary judgment, simply did not present substantive argument, briefing, or
15 authority with respect to Third-Party Plaintiffs' bad faith and CPA delay claims,
16 negligence claim, and coverage by estoppel claim. As a consequence, Third-Party
17 Defendants did not carry their initial burden with respect to these claims. The court
18 therefore denies the motion for reconsideration. In response to the issues raised by
19 Third-Party Defendants, the court issues an amended version of its September 18, 2009
20 order (Dkt. # 68). (*See* Am. Order (Dkt. # 76) at 24, 26.)
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1 Dated this 28th day of October, 2009.

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4 JAMES L. ROBART
5 United States District Judge
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